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**1 — Louisiana Health Officer Dr. Jimmy Guidry says 'Probably this (brain-eating) amoeba has been in our water systems, and we didn't know it', Advocate, 8/25/2015** <http://theadvocate.com/news/13263946-123/dhh-finding-brain-eating-amoeba-in>

Louisiana's state health officer sought Monday to allay concerns over the discovery of brain-eating amoeba in an Ascension Parish water system this summer and five other systems in the past two years. Dr. Jimmy Guidry said state and government officials are working to improve disinfection in systems where *Naegleria fowleri* was found but argued the discoveries are likely part of improved testing, not the sudden appearance of the amoeba in public drinking water.

**2 — ADEQ: Clean Power Plan Final Rule Improvement Over Draft, Ark. Business, 8/24/2015**

<http://www.arkansasbusiness.com/article/106701/adeq-director-state-better-off-under-clean-power-plan-final-plan>

Arkansas is in better shape under the federal Clean Power Plan final rule than it was under the plan's draft, Arkansas Department of Environmental Quality Director Becky Keogh said Monday. Keogh and Arkansas Public Service Commission Chairman Ted Thomas met with media Monday to address the U.S. Environmental Protection Agency final rule and its effects on Arkansas

**3 — KEN PAXTON BLOWS SMOKE ABOUT TEXAS' AIR QUALITY IMPROVEMENTS, Observer, 8/25/2015**

<http://www.dallasobserver.com/news/ken-paxton-blows-smoke-about-texas-air-quality-improvements-7512701>

Texas Attorney General Ken Paxton has a fantastic announcement about Texas' air quality: It's great! In an announcement his office posted last week about his staunch refusal to follow the Environmental Protection Agency's new carbon regulations, he buries this inspiring news:

**4 — Arkansas allowed to intervene in lawsuit over regional haze reduction, Ark. News, 8/24/15**

<http://arkansasnews.com/news/arkansas/arkansas-allowed-intervene-lawsuit-over-regional-haze-reduction#sthash.WEfODfH2.dpuf>

A federal judge ruled Monday that Arkansas can intervene in a lawsuit by the Sierra Club that seeks to force the federal Environmental Protection Agency to draft a plan for Arkansas to reduce "regional haze" pollution in the the Upper Buffalo and Caney Creek areas.

**5 President Obama launches an 11-day 'climate tour' to broaden clean energy use, Climate Wire, 8/25/2015**

<http://www.eenews.net/climatewire/2015/08/25/stories/1060023877>

Federal investment has spurred innovation in solar and wind power technologies, and now is "not the time to pull back on those investments," President Obama said yesterday. Speaking at the eighth annual National Clean Energy Summit, hosted by Senate Minority Leader Harry Reid (D-Nev.), Obama touted clean, renewable energy as a way to not only cut emissions that contribute to climate change but also create jobs and grow the economy. For Congress and other naysayers, the president had little patience.

#### **6 Legal experts say they need more time to determine mine spill fallout, Alb Journal, 8/24/2015**

<http://www.abqjournal.com/633241/news-around-the-region/legal-experts-say-they-need-more-time-to-determine-mine-spill-fallout.html>

Navajo Nation President Russell Begaye told a room filled with Shiprock ranchers and farmers last week that a Navajo healer completed a traditional ceremony last week at the Gold King Mine to restore balance to the polluted waters that continue to leak from the site. However, the extent of the economic damage has yet to be fully assessed.

#### **7 Navajo Nation not lifting San Juan River closure after EPA OK's water, Denver Post, 8/20/2015**

[http://www.denverpost.com/news/ci\\_28695692/navajo-nation-not-lifting-san-juan-river-closure](http://www.denverpost.com/news/ci_28695692/navajo-nation-not-lifting-san-juan-river-closure)

The Navajo Nation said Monday morning it will not reopen the San Juan River for agricultural use even after the Environmental Protection Agency announced last week water quality rebounded from the major mine wastewater spill upstream. The tribe says it is waiting on testing from its internal environmental agency before reopening the river.

#### **8 — EPA records raise more questions about Colorado mine spill, what was known before it occurred, Star Tribune, 8/24/2015**

<http://www.startribune.com/new-documents-raise-more-questions-about-colorado-mine-spill/322731931/>

Documents released by U.S. officials have revealed that the Environmental Protection Agency knew of the potential for a blowout of toxic wastewater from a Colorado mine more than a year before a government cleanup team accidentally triggered such a release earlier this month.

#### **9 — McCarthy announces environmental cooperation with Japan, EE News, 8/24/2015**

<http://www.eenews.net/greenwire/2015/08/24/stories/1060023835>

U.S. EPA Administrator Gina McCarthy and Japan's environmental minister today agreed to work together to confront climate change and slash air pollution. McCarthy met today with Japanese Environment Minister Yoshio Mochizuki in Tokyo during her weeklong visit to the Asian nation. After their meeting, both environmental chiefs pledged to boost U.S. and Japanese cooperation on a host of environmental issues, EPA announced today.

#### **10 Welcome to Quakelahoma, Vice News, 8/24/2015**

<https://news.vice.com/article/welcome-to-quakelahoma>

First, there was a little rumble. A bit later came the roar. At the Cripple Creek Stoneyard in Crescent, Oklahoma, clocks fell off the walls, and the office bounced on its slab. At Hometown Foods, the shelves swayed from side to side, tossing cans onto the floor.

#### **11 Shiprock Votes To Keep Irrigation Shut Off, KUNM, 8/24/2015**

<http://kunm.org/post/shiprock-votes-keep-irrigation-shut>

The Navajo Nation Environmental Protection Agency said initial testing results showed that water in the San Juan River is safe for agricultural use. But farmers in Shiprock have voted unanimously to keep the irrigation shut off through the end of this growing season. Shiprock Chapter President Duane "Chili" Yazzie said it was a difficult decision for farmers who rely on their fields for income and food.

#### **12 Oil companies in Oklahoma spending millions of dollars to reduce risk of earthquake activity, Oklahoman, 8/23/2015**

<http://newsok.com/oil-companies-in-oklahoma-spending-millions-of-dollars-to-reduce-risk-of-earthquake-activity/article/5441778>

As part of the effort to understand and reduce the growing earthquake activity throughout much of the state, disposal well operators since March have spent more than \$35 million to adjust their wells' depths with the aim of reducing the risk of contributing to earthquake activity. The actions came after the Oklahoma Corporation Commission three times this year issued new directives, telling operators in certain "areas of interest" to either adjust their disposal well depths or reduce volumes.

### **13 — In last regulatory step, stakeholders petition for rule changes, Greenwire, 8/24/2015**

<http://www.eenews.net/greenwire/2015/08/24/stories/1060023798>

While the Clean Power Plan is final, states and energy companies have one last shot to urge U.S. EPA to make big or small changes to the rule. The regulatory process allows them to submit a "petition to reconsider." Many CPP stakeholders will be working on those submissions for the next several weeks or months, as they are expected to send them within 60 days after the rule is published in the Federal Register. (EPA hasn't said when that will happen, other than "as soon as practicable.")

### **14 — Osage oil producers file second lawsuit against BIA, Tulsa World, 8/23/2015**

[http://www.tulsaworld.com/business/energy/week-in-review-osage-oil-producers-file-second-lawsuit-against/article\\_37321b40-583f-5935-a877-13162cebb4b9.html](http://www.tulsaworld.com/business/energy/week-in-review-osage-oil-producers-file-second-lawsuit-against/article_37321b40-583f-5935-a877-13162cebb4b9.html)

After a court victory last week in a separate case, Osage County oil producers filed a second lawsuit Tuesday against the U.S. Bureau of Indian Affairs, this time blaming federal bureaucrats for a steep decline in drilling activity. Only 39 wells have been drilled in Osage County since last summer, when the BIA announced that it would require expensive environmental assessments on individual well sites before issuing permits

### **15 — Cities: White House clean energy push includes outreach to mayors on emissions, Inside EPA, 8/24/2015**

<http://insideepaclimate.com/climate-beat/cities-white-house-clean-energy-push-includes-outreach-mayors-emissions>

The White House's new push to "accelerate America's transition to cleaner sources of energy," announced today in advance of a speech the president will deliver at a clean energy summit in Las Vegas tonight, includes an effort to urge more mayors to commit to reduced greenhouse gas emissions in their cities. "The Compact of Mayors, a global coalition of mayors and city officials that have pledged to reduce greenhouse gas emissions and enhance resilience to climate change, is committing to further the uptake of clean energy technologies, including in low-income communities, and to track overall progress," the White House said in a fact sheet.

### **16 EPA records raise more questions about Colorado mine spill, what was known before it occurred, FOX, 8/24/15**

<http://www.foxbusiness.com/markets/2015/08/24/epa-records-raise-more-questions-about-colorado-mine-spill-what-was-known/>

Documents released by U.S. officials have revealed that the Environmental Protection Agency knew of the potential for a blowout of toxic wastewater from a Colorado mine more than a year before a government cleanup team accidentally triggered such a release earlier this month.

### **17 ADEQ says Colorado River water shouldn't be hurt by spill, Parker Pioneer, 8/24/15**

[http://www.parkerpioneer.net/news/article\\_d2b508ae-4aa8-11e5-a8df-a30ccc8baf4f.html](http://www.parkerpioneer.net/news/article_d2b508ae-4aa8-11e5-a8df-a30ccc8baf4f.html)

Based on analysis of water samples taken 100 miles from Lake Powell, the Arizona Department of Environmental Quality has stated a spill of toxic materials from an abandoned gold mine in Colorado should have no impact on water quality in the Colorado River. The spill occurred Aug. 5 at the abandoned Gold King Mine near Silverton, Colo. Contractors working for the U.S. Environmental Protection Agency were attempting to insert a pipe into the mine to drain off the toxic materials.

### **18 Oct. 9 stakeholder meeting set on EPA's Clean Power Plan, Ark. News, 8/24/15**

<http://arkansasnews.com/news/arkansas/oct-9-stakeholder-meeting-set-epa-s-clean-power-plan#sthash.uRWChsEg.dpuf>

The Arkansas Department of Environmental Quality and the state Public Service Commission said Monday they have scheduled an Oct. 9 stakeholder meeting to begin a new round of discussions on how Arkansas will comply with a new federal rule aimed at reducing carbon emissions. "We face some tough decisions," Public Service Commission Chairman Ted Thomas said in a news conference at ADEQ's headquarters in North Little Rock

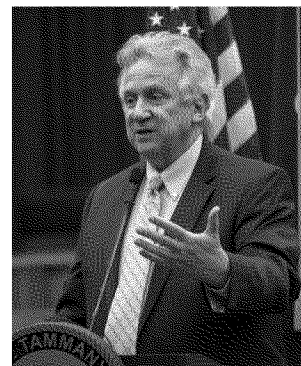
# Louisiana Health Officer Dr. Jimmy Guidry says 'Probably this (brain-eating) amoeba has been in our water systems, and we didn't know it'

by David J. Mitchell

[dmitchell@theadvocate.com](mailto:dmitchell@theadvocate.com)

Louisiana's state health officer sought Monday to allay concerns over the discovery of brain-eating amoeba in an Ascension Parish water system this summer and five other systems in the past two years.

Dr. Jimmy Guidry said state and government officials are working to improve disinfection in systems where *Naegleria fowleri* was found but argued the discoveries are likely part of improved testing, not the sudden appearance of the amoeba in public drinking water.



Advocate staff file photo by SCOTT THRELKELD -- State Health Officer Dr. Jimmy Guidry.

"Probably this amoeba has been in our water systems, and we didn't know it. Probably it's in other water systems, and they don't know it," he said during a Baton Rouge Press Club luncheon in the Iberville Room at the Belle of Baton Rouge Casino & Hotel.

Guidry said the amoeba, which thrives in warm water and is a problem in the summer, is prevalent in rivers and lakes nationwide.

Infections from the amoeba, which must travel up a person's nose, remain rare, officials say, and water with the amoeba remains safe to drink. According to the U.S. Centers for Disease Control and Prevention, 133 people are known to have been infected since 1962 and had primary amebic meningoencephalitis. Three survived. Most were infected after swimming in rivers and streams.

Guidry said the state and CDC developed a new test for the amoeba after a young Mississippi boy died in 2013 from contracting it at a home in Violet.

Guidry said the state now tests about 30 to 40 systems per year.

Tests, which are expected to continue through the summer, have already found the amoeba in water systems in St. Bernard, Ascension and Terrebonne parishes.

DHH officials said in an email Monday afternoon that Baton Rouge Water Co. has not been tested this year, but, at the news conference Monday, Guidry said Baton Rouge Water has one of the better systems in the state, with a deep aquifer that does not need a lot of treatment and has a lot of monitoring.

“It’s probably not one we’re looking at very hard because they do a great job of maintaining the water system, and they’re not having violations a whole lot,” he said.

He added the amoeba has been found in Louisiana in water systems that rely on surface water, not with deep groundwater sources. The amoeba has also been found in groundwater in Phoenix, Arizona. He said the state is testing whether Louisiana’s geology allows the amoeba to thrive.

In addition to new testing in 2013, an emergency DHH rule took effect that year to increase chlorine disinfection levels.

Guidry said most public water systems have good disinfection control where water is produced, but some have a harder time maintaining disinfection in long stretches of pipe where water use is minimal.

*Naegleria fowleri* was found July 28 in the Ascension Consolidated Utility District No. 1 water system on the outskirts of Donaldsonville. Ascension, which buys water from other systems and moves it by pipe, has blamed troubles with disinfection on long stretches of pipe with low use.

The state ordered Ascension to do a temporary boost of chlorine levels, known as a chlorine burn, to kill the amoeba.

Guidry said the district had successfully raised chlorine levels to start the 60-day clock for the chlorine burn Aug. 17. St. Bernard’s burn period started Aug. 5, while the Schriever Water System in Terrebonne isn’t ready yet, he said.

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# ADEQ: Clean Power Plan Final Rule Improvement Over Draft

by Mark Carter

Posted 8/24/2015 12:40 pm

Updated 19 hours ago

Arkansas is in better shape under the federal Clean Power Plan final rule than it was under the plan's draft, Arkansas Department of Environmental Quality Director Becky Keogh said Monday.

Keogh and Arkansas Public Service Commission Chairman Ted Thomas met with media Monday to address the U.S. Environmental Protection Agency final rule and its effects on Arkansas. The rule went into effect earlier this month and mandates carbon emission reductions at U.S. power plants by 2030.

Keogh said the EPA was willing to work with the state, and its final plan extends some deadlines for compliance and provides other relief. The state went from being "at the tip of the spear to somewhere in the middle," Thomas said.

In response to public comments, Keogh said the federal agency adjusted some targeted baseline requirements.

A stakeholder meeting hosted by the ADEQ and PSC is scheduled for Oct. 9 to further discuss the plan and the state's implementation of it.

Under the controversial Clean Power Plan's draft, Arkansas would've been required to reduce its carbon emissions by 44 percent by 2030. The final rule changed the requirement to 36 percent. It also delayed by two years, from 2020 to 2022, the start of the compliance period. States remain required to attain their final carbon-emissions goals by 2030.

To meet the required 2030 goals, Arkansas must reduce carbon emissions by 27 percent, which places it in the middle of the pack in terms of all states. Montana, for example, would have to reduce emissions by 44 percent to meet federal guidelines while eight states currently meet them.

Thomas said he was relieved by the "less stringent" requirements of the final plan. Both he and Keogh commended the EPA for taking into account concerns over the plan's draft that were included in public comments.

"We stayed engaged with the EPA and just didn't say, 'No,'" Thomas said. "I think that helped."

The final plan is based on three "building blocks": improved efficiency at coal-fired plants; shifting generation from coal-fired to natural gas plants; and sifting generation to zero-emitting renewables.

Arkansas is facing the following deadlines for submission of its state plan:

- Arkansas must submit a final plan or an initial plan with an extension request for submission of its final plan by Sept. 6, 2016. An extension would give it until Sept. 6, 2018, to submit a final plan. Arkansas can submit its own plan or join a multi-state plan.
- If Arkansas chooses an extension, it must file a progress report by Sept. 6, 2017.
- States that fail to submit an approvable plan by the deadline will be subject to a proposed federal default plan for which the EPA currently is taking comments.

Arkansas was set to reduce carbon emissions by 12.8 percent by 2020 regardless of the Clean Power Plan, Keogh said. She said the October stakeholders meeting will attempt to determine the state's best path forward, how the federal plan will impact the environment and the power grid, and how it will affect ratepayers.

Critics of the federal plan say it will burden ratepayers while having negligible impact on the environment. Gov. Asa Hutchinson, in response to the EPA's final plan announcement earlier this month, said the state would continue to fight the final rule but also work with industries and consumers to "determine a lowest-cost option to compliance."

On Monday, Keogh said the state would continue to pursue all its political, legal and compliance avenues.

"Litigation will be pursued but we'll prepare to file our state plan by the deadline

too," Keogh said.

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Arkansas Business



**Observer**

# KEN PAXTON BLOWS SMOKE ABOUT TEXAS' AIR QUALITY IMPROVEMENTS

BY AMY SILVERSTEIN

TUESDAY, AUGUST 25, 2015 | 6 HOURS AGO



Smoke gets in your eyes and other places.

#JW#BPCVT

Texas Attorney General Ken Paxton has a fantastic announcement about Texas' air quality: It's great! In an announcement his office posted last week about his staunch refusal to follow the Environmental Protection Agency's new carbon regulations, he buries this inspiring news:

...despite the past 15 years of rapid population and economic growth, nitrogen oxide and ozone levels are down and Texans are breathing cleaner air.

<http://www.dallasobserver.com/news/ken-paxton-blows-smoke-about-texas-air-quality-improvements-7512701>

1/2

Sure, it's true that the state's ozone problem has improved, but so has the rest of the nation's, and Texas still has some of the highest ozone levels in the nation, and its biggest counties have been out of compliance with the Clean Air Act for nearly two decades. Last fall, DFW finally got ozone pollution down to 81 ppb, a number that is better, yet still not compliant with the Clean Air Act, so there's that. (The current standard is 75 ppb, and the EPA is considering lowering that to 65-70 ppb.

Paxton's joyous press release also has information on Texas' air quality above the Eagle Ford shale region, where drillers in South Texas have been fracking for natural gas: "Texas' air monitoring system is so flawed that the state knows almost nothing about the extent of the pollution in the Eagle Ford," Paxton admits. "Only five permanent air monitors are installed in the 20,000-square-mile region, and all are at the fringes of the shale play, far from the heavy drilling areas where emissions are highest. Thousands of oil and gas facilities, including six of the nine produc ... " Wait. Hold on. This is embarrassing. That text is OPU from Paxton's office. That information is actually from an investigative report that a nonprofit environmental news agency published last year. Our bad. Back to the actual Paxton announcement:

Texas will defend its families and jobs from an overreaching federal government. Moreover, Texas has proven that you don't have to destroy industry and jobs in order to protect the environment.

Texas conservatives have long made the dubious claim that the state is doing fine on its own when it comes to improving air quality, no thanks to the feds. During his first run for president, former Governor Rick Perry boasted "we cleaned up our air in Texas more than any other state, during the decade of the 2000s," a claim factcheck.org politely called "exaggerated."

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Contact: Amy Silverstein Follow: Dallas Observer Dallas Observer

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# Arkansas allowed to intervene in lawsuit over regional haze reduction

By John Lyon Arkansas News Bureau [jlyon@arkansasnews.com](mailto:jlyon@arkansasnews.com)

August 24, 2015 - 6:34pm

LITTLE ROCK — A federal judge ruled Monday that Arkansas can intervene in a lawsuit by the Sierra Club that seeks to force the federal Environmental Protection Agency to draft a plan for Arkansas to reduce “regional haze” pollution in the the Upper Buffalo and Caney Creek areas.

Arkansas submitted a plan for complying with the EPA’s regional haze rule in 2012, and the plan was partially approved and partially disapproved. According to the lawsuit, Arkansas failed to submit a revised plan, which triggered a requirement that the EPA draft a plan for the state, but the agency missed a deadline to file the draft.

A proposed consent decree has been negotiated between the Sierra Club and the EPA. Attorney General Leslie Rutledge filed comments on the proposed decree on April 24, arguing that it would set an arbitrary deadline that likely would lead to a rule requiring billions of dollars in compliance costs for very limited improvement in visibility. She also argued that the Sierra Club lacked standing to file its suit.

Rutledge filed a motion July 11 to intervene in the case, and U.S. District Judge Leon Holmes granted the motion Monday.

“The EPA is ignoring what is best for Arkansas in order to satisfy the interests of the Sierra Club,” Rutledge said in a statement Monday. “The Sierra Club initially brought this lawsuit, which affects Arkansas ratepayers, in a California federal court. I am pleased that the court has granted our request to intervene so that this ‘sue and settle’ case can be stopped. I am prepared to fully litigate this case to protect Arkansas utility ratepayers from increased costs.”

Glen Hooks, director of the Arkansas chapter of the Sierra Club, said in a statement Monday, “Now that the EPA has taken action, the state of Arkansas finally wants to get involved — three years after not submitting the plan it was required to submit. Today’s order has nothing to do with the merits of EPA’s haze reduction plan, it simply allows the state to be part of deadline discussions between Sierra Club and EPA to complete the plan.

“The most important thing is that we work together to clean up haze pollution in Arkansas’s special places. It’s not only the right thing to do for the Natural State, it’s also required by federal law.”

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## THE POLITICS AND BUSINESS OF CLIMATE CHANGE

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### POLICY:

#### President Obama launches an 11-day 'climate tour' to broaden clean energy use

Brittany Patterson, E&E reporter

Published: Tuesday, August 25, 2015

LAS VEGAS -- Federal investment has spurred innovation in solar and wind power technologies, and now is "not the time to pull back on those investments," President Obama said yesterday. Speaking at the eighth annual National Clean Energy Summit, hosted by Senate Minority Leader Harry Reid (D-Nev.), Obama touted clean, renewable energy as a way to not only cut emissions that contribute to climate change but also create jobs and grow the economy. For Congress and other naysayers, the president had little patience.

"And as long as I'm president, the federal government is going to do its part beyond the investments we have already made," Obama said, speaking at the Mandalay Bay Convention Center to a crowd of about 1,000 people. "Now's not the time to insist on massive cuts to the investments in R&D that help drive our economy, including the hundreds of millions of dollars in cuts that many Republicans want to take from these successful job-creating clean energy programs."

The president's remarks came after the administration earlier yesterday pledged money toward a slew of programs aimed at expanding everyday Americans' access to renewable energy technologies (*Greenwire*, Aug. 24).

Chief among the initiatives, the White House called for \$1 billion in additional federal loan guarantee authority to support distributed energy projects, such as micro-grid technology, storage and rooftop solar.

The administration also launched a joint effort between the Department of Energy and the Department of Housing and Urban Development focused on giving low-income households more access to renewable energy, including rooftop solar panels. Soon, single-family homeowners will have access to dollars under the Property-Assessed Clean Energy (PACE) program.

PACE financing allows homeowners to install energy improving technologies and pay back the cost over time through their property taxes. When the property is sold, the remaining PACE loan stays with the more energy-efficient property, and the next owner is responsible for repaying the loan, according to the White House's fact sheet on the executive and private-sector actions. In addition, HUD's Federal Housing Administration, which administers the PACE program, will make it easier for homeowners to borrow money to make energy efficiency improvements.

"We're taking steps to allow more Americans to join this revolution with no money down," Obama said.

The National Clean Energy Summit has emerged as a destination for those in the renewable energy industry, said John Podesta, Obama's former top environmental adviser and current chairman of Hillary Clinton's presidential campaign.

Speaking with reporters, Podesta said Nevada, due in large part to Reid's prominent position in the Senate, has emerged as a leader in the clean energy movement. Since 2009, renewable energy generation has increased 180 percent in Nevada.

"I think what this forum has done is become a go-to place in August," he said. In reference to the 100-plus-degree heat, he added, laughing, "Everybody can begin to think about what the future is going to be like with climate change."

#### 'An all-in perspective'

The summit has been the creative birthplace of the kinds of ideas and support that have enabled the president to do what he's been able to do, Podesta said.

"Look, I think the president has just done game-changing efforts," he said. "He's got a sort of all-in perspective on this, and that's really created the opportunity for him to be a leader internationally."

Also announced yesterday were the approval of a California transmission line that will bring online a 485-megawatt solar array in Riverside County to power more than 145,000 homes and an interagency task force to promote clean energy.

As part of the Advanced Research Projects Agency-Energy's Micro-scale Optimized Solar-Cell Arrays with Integrated Concentration (MOSAIC) Program, \$24 million for 11 projects in seven states across the country was announced to develop innovative solar technologies. Energy Secretary Ernest Moniz said the goal with these projects is to double the amount of energy each solar panel can produce from the sun while reducing costs and the space required to produce electricity.

Speaking at the summit, Moniz said all clean energy tools, including carbon capture and sequestration, are crucial to develop in the fight to reduce greenhouse gas emissions and stave off global warming.

"We need all the tools we can get," he said.

Solar is no longer just for those who want to save the environment, or the "tree huggers," the president added.

"You don't have to share my passion for fighting climate change," he said. "A lot of Americans are going solar or becoming more energy efficient not because they're tree huggers -- although trees, you know, are important; this is why you hug them -- but because it costs less. They like saving money, and I'm all for consumers saving money, because that means they can spend it on other stuff."

### The economic case for 'moving forward'

Increased choice was a recurring theme during the all-day summit, which was originally created to bring together governments and the private sector to work together on clean energy solutions and modernizing the electricity grid, according to organizers. In addition to Obama, speakers included leaders from utilities, solar technology companies, renewable energy finance firms and electric carmaker Tesla.

Geisha Williams, president of electric operations for Pacific Gas and Electric Co., said that as recently as just a few years ago, Americans seemed to take energy for granted, but not anymore.

"Today, we're seeing a huge movement toward customer choice," Williams said. "They still want affordability, but they're keenly aware of carbon. It's almost a moral obligation to become greenhouse gas emissions-free. The expectation is that we will help them get there."

Last year, wind accounted for almost 5 percent of all electricity generated in the United States, and solar less than 1 percent, but the president noted that solar made up almost one-third of all new generating capacity installed last year. Wind power made up another 20 percent.

"There's a big shift underway that goes beyond simply putting solar panels on your home," Obama said. "The revolution going on here is that people are beginning to realize they can take more control over their own energy, what they use, how much, when."

The president also took time to lambaste "fossil fuel interests who want to protect the outdated status quo."

Obama took aim at fossil fuel companies and investors like the Koch brothers, calling into question their commitment to a free market, but only when it suited them.

"Think about it. Normally, these are groups that tout themselves as champions of the free market," the president said. "But in this situation, they're trying to undermine competition in the marketplace and choke off consumer choice and threaten the industry that is churning out jobs at a fast pace."

The remarks are the latest from the president in attempt to speak "frankly and frequently" about climate change, said Brian Deese, the president's senior climate change adviser, on a call with reporters. In the coming days, the president will travel to New Orleans and Alaska on a 11-day "climate tour."

Obama added that there still remains a lot of work to be done in order to grow the renewable energy sector, but between technology improvements and market growth driven by consumer desire, clean energy presents itself as a worthwhile bet.

"Folks whose interests or ideologies run counter to where we need to go, we've got to be able to politely but firmly say we're moving forward," he said.

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## Legal experts say they need more time to determine mine spill fallout

Steve Garrison / The Daily Times

SHIPROCK — Navajo Nation President Russell Begaye told a room filled with Shiprock ranchers and farmers last week that a Navajo healer completed a traditional ceremony last week at the Gold King Mine to restore balance to the polluted waters that continue to leak from the site.



However, the extent of the economic damage has yet to be fully assessed.

The U.S. Environmental Protection Agency has taken responsibility for causing the Aug. 5 Gold King Mine blowout north of Silverton, Colo., that released more than 3 million gallons of acidic water tainted with heavy metals into the Animas River.

The EPA is now asking impacted residents and businesses to submit claims for damages and it opened a recovery center last week in Durango, Colo., to help with the claims process.

However, the agency has not yet offered such services in Farmington or Shiprock and local pro bono legal agencies said they are limited in what services they can provide.

Brooke Hansen, a spokeswoman for the EPA, said Thursday she was not certain whether a recovery center would be opened in Farmington or Shiprock, but directed residents in the area to submit their claims through the EPA's website.

She said the agency will devise a plan to assist residents who may not have Internet access.

"There will be more to come," she said. "We have been focusing on the cleanup, and now we are starting to focus on the claims process and how to help with that."

David Cowen, president of the San Juan County Bar Association, said in a statement that the association is aware residents have legal questions about the spill, but it is still too early to discuss possible remedies.

DNA People's Legal Services Executive Director T.J. Holgate agreed that more information is needed about damages before action can be taken.

"I have alerted my staff, as executive director, that this is going on and appointed a lawyer to look into what services, either brief or on a long-term basis, we could provide," Holgate said.

During Thursday's public meeting in Shiprock, Navajo Nation Attorney General Ethel Branch directed tribal residents with questions to contact DNA People's Legal Services, which has offices throughout the Navajo Nation and in Farmington.

Individuals who suffered property or personal damage as a result of the spill have up to two years to file a claim, according to the EPA's website.

Cowen said the Eleventh Judicial District Court will be host the annual San Juan County Legal Fair on Sept. 25 at the Aztec district courthouse, 103 S. Oliver Drive.

Cowen said there are no plans currently to address the mine spill directly at the fair, but volunteer attorneys will answer general questions about the issue.

New Mexico Attorney General Hector Balderas said last week that he believed proper legal resources needed to be deployed to rural areas in San Juan County and the Navajo Nation, but declined to answer questions Thursday about where those resources would come from.

"Our office is strongly focused on oversight and accountability as we get to the bottom of what caused this tragic accident, and we will ensure that the EPA and any other responsible party holds themselves accountable to New Mexicans as we work to recover," Balderas said in a statement. "My office stands ready to support local agencies and legal service providers in any way we can."

Jason Eley, an attorney with the Tucker, Burns, Yoder and Hatfield Law Firm in Farmington, said he is assisting several clients in the Durango area as they file claims for damages against the EPA.

He agreed with Cowen and Holgate that it is difficult right now to determine the full extent of the spill's damage, but he is advising clients on claims related to property value depreciation, loss of business and costs related to delayed water service.

"At this point, it's filing claims and seeking a settlement," Eley said. "If that doesn't work within six months, then you file a lawsuit."

Some Navajo Nation officials, including President Begaye and Branch, have warned tribal residents to avoid using the EPA's Standard Form No. 95 to seek redress from the EPA, claiming the form contains "offending language" and individuals who sign the form will waive future claims against the agency. In a press release, the EPA has said that is not true.

Efforts to reach Branch for comment were unsuccessful.

Eley disagreed with Branch's assessment, which was included in an Aug. 12 directive from President Begaye to cease distributing the EPA form. Eley said federal law requires residents and business owners to attempt to seek remediation through the claims process before filing a lawsuit.

"(Filing a claim) is just getting the process started," Eley said. "If there is no agreement on damages, you are not bound to take what the government gives

you.”

William Douglas Lee, a Shiprock pastor and farmer, was one of dozens of farmers and ranchers who attended a public hearing Thursday in Shiprock about the San Juan River contamination.

He said his crops are dying because he has not been able to use river water for irrigation. But, he said, he has not given much thought yet to filing a claim against the EPA.

“There is a two-year timetable, and Navajo leaders have cautioned us against (filing),” Lee said. “We will see.”

Frankie Johnson raises black Angus cows in Shiprock, and, this year, he planted corn.

He said he has not spoken to an attorney, but he will probably seek damages from the EPA for the “impounding” of his crops.

“There is no water,” he said. “I gotta use tap water from my house.”

He said the problem right now for all farmers is the lack of water, and that needs to be addressed.

“So far, the EPA? I don’t hear a word from them,” Johnson said.

Steve Garrison covers crime and courts for The Daily Times. He can be reached at 505-564-4644 and [stgarrison@daily-times.com](mailto:stgarrison@daily-times.com). Follow him on Twitter [@SteveGarrisonDT](https://twitter.com/SteveGarrisonDT) on Twitter.

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## Navajo Nation not lifting San Juan River closure after EPA OK's water

Updated: 08/24/2015 05:35:37 PM MDT

DenverPost.com



Farmer Roy Etcitty looks out over the San Juan River on Aug. 15, 2015.

- Aug 23:
- EPA: Animas River surface water returning to pre-spill conditions
- Aug 22:
- Gold King Mine: EPA was told of blowout danger in June 2014
- Aug 21:
- Plan for clean-up of Gold King Mine area stymied for years
- Aug 20:
- EPA: San Juan River quality in Navajo country is at pre-Colorado spill levels
- Aug 19:
- Colorado, Utah attorneys general: Feds are withholding Gold King facts
- Aug 18:
- EPA inspector general to review Colorado mine disaster

The Navajo Nation said Monday morning it will not reopen the San Juan River for agricultural use even after the Environmental Protection Agency announced last week water quality rebounded from the major mine wastewater spill upstream.

The tribe says it is waiting on testing from its internal environmental agency before reopening the river.

"I'm glad the (EPA) water samples indicate the water is safe for irrigation use, but I remain concerned over the soil and sediment that lines our (river's) bank," said tribe President Russell Begaye in a statement. "Every time a heavy storm hits or the soil is disturbed it can recontaminate the water."

The tribe, in a news release, said the majority of chapters impacted by the closure voted last week against reopening the San Juan out of fears its waters might contaminate their crops.

The EPA said Wednesday the river's levels had returned to what they were before the agency spilled 3 million gallons of mine contaminants Aug. 5 upstream in Colorado.

Navajo officials have chastised the EPA since the spill and tribal leaders say the aftermath of the release left their people on the brink of economic disaster since use of the San Juan for agricultural purposes was banned.

Many Navajo farmers said their crops died in the disaster's wake.

The contamination left the Navajo, already mistrustful of the federal government, angry at the

EPA and seeking damages. The tribe's leaders have vowed to file suit against the agency.

While the river remains closed, the Navajo Nation says it will continue to work with the Bureau of Indian Affairs to provide water to residents for irrigation, livestock and drinking purposes.

*Jesse Paul: 303-954-1733, [jpaul@denverpost.com](mailto:jpaul@denverpost.com) or [twitter.com/JesseAPaul](https://twitter.com/JesseAPaul)*

# EPA records raise more questions about Colorado mine spill, what was known before it occurred

By MATTHEWBROWN Associated Press | AUGUST 24, 2015 — 4:00PM

Documents released by U.S. officials have revealed that the Environmental Protection Agency knew of the potential for a blowout of toxic wastewater from a Colorado mine more than a year before a government cleanup team accidentally triggered such a release earlier this month.

About 3 million gallons of water from the mine flowed into Colorado's Animas River and the San Juan River in New Mexico before reaching Lake Powell on the Utah-Arizona border. Public drinking water systems were temporarily shut down and farmers from the Navajo Nation stopped using river water for irrigation.

Here are some questions and answers about the newly released documents.

## WHAT DID AGENCY OFFICIALS KNOW?

A June 2014 work order from the EPA for the cleanup of the inactive Gold King Mine near Silverton, Colorado, said a partial collapse of the mine's entrance had allowed water to build up inside the mine. The order said those conditions could result in a blow-out and "cause a release of large volumes of contaminated mine waters and sediment inside the mine, which contain concentrated heavy metals."

## WHAT PRECAUTIONS WERE TAKEN TO PREVENT A SPILL?

The EPA's work order called for the construction of a holding pond at the mine site to capture water so contaminants could be removed by settling out in the pond or by treatment. The pond was not completed when the accident occurred. The issue is part of investigations into the spill.

## WAS A PLAN IN PLACE FOR DEALING WITH A SPILL?

The EPA documents contained only a few lines describing what to do in the event of a spill, including stopping the flow, recovering spilled materials, and alerting downstream drinking water systems.

## COULD IT HAPPEN AGAIN?

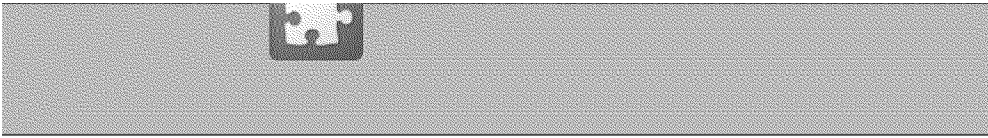
The Gold King Mine has not undergone maintenance since 1991, and the impound area from which the toxic wastewater was released is not the only one at the mine. The EPA has no estimate of how much water is remaining, but agency spokesman David Gray said there is a potential for another blowout. Additional work is planned to remove other blockages holding water in the mine. There's no timeline for completion.

## ARE OTHER MINES PRODUCING POLLUTION IN THAT AREA?

The Upper Animas River area contains an estimated 400 abandoned and inactive mines, and state and federal officials have been working since the 1990s to address pollution flowing into area streams. However, the EPA said water quality has not improved in the Animas since 2005 and has been worsening in some areas. Officials have noted precipitous declines in fish populations as far as 20 miles downstream.

## WHAT'S NEXT?

Members of Congress have blasted the EPA's slow response to the spill, including the fact that some downstream communities were not notified until a day after it happened. They've also questioned how it happened given that the agency knew of the potential for a release. Hearings before several congressional committees are planned, including a Sept. 9



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## THE LEADER IN ENERGY & ENVIRONMENTAL POLICY NEWS

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EPA:

### McCarthy announces environmental cooperation with Japan

Robin Bravender, E&E reporter

Published: Monday, August 24, 2015

U.S. EPA Administrator Gina McCarthy and Japan's environmental minister today agreed to work together to confront climate change and slash air pollution.

McCarthy met today with Japanese Environment Minister Yoshio Mochizuki in Tokyo during her weeklong visit to the Asian nation. After their meeting, both environmental chiefs pledged to boost U.S. and Japanese cooperation on a host of environmental issues, EPA announced today.

On climate change, both officials agreed that "it is necessary to reduce the world's total greenhouse gas emissions to cope with climate change," EPA said. McCarthy and Mochizuki agreed to "work towards a successful outcome" at the U.N. climate change conference scheduled for December in Paris "and acknowledge the need to accelerate climate actions with ambitious targets and to design the effective implementation of the new framework."

The nations also committed to work together to cut mercury pollution and improve mercury monitoring. The United States is a signatory to the Minamata Convention on Mercury, a multilateral agreement named after a Japanese city where residents suffered severe mercury poisoning after eating seafood contaminated by wastewater from a local chemical factory.

The United States and Japan also plan to promote collaboration on long-term safety efforts in the wake of the 2011 accident at the Fukushima Daiichi nuclear plant, EPA announced.

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ENVIRONMENT (/TOPIC/ENVIRONMENT)

# Welcome to Quakelahoma



By Matt Smith (/contributor/matt-smith)

August 24, 2015 | 11:00 am

First, there was a little rumble. A bit later came the roar.

At the Cripple Creek Stoneyard in Crescent, Oklahoma, clocks fell off the walls, and the office bounced on its slab. At Hometown Foods, the shelves swayed from side to side, tossing cans onto the floor.

"It shook stock off every aisle," Hometown co-owner Brian Johnston told VICE News. "It was getting bigger and shaking harder. I was like, 'Crap, this is it.' "

Welcome to Quakelahoma, where in less than a decade the state has gone from having about two noticeable earthquakes a year to about two a day. In 2014, geologists recorded 585 tremors of magnitude 3.0 or higher, and 2015 has already topped that mark. Scientists warn the state is at risk of a major earthquake, and the financial industry is starting to ponder the potential losses.

They're not the threat to life and limb posed by natural hazards like tornadoes, which have killed dozens of people at a time in Oklahoma. But the difference between tornadoes and the Sooner State's seismic surge is that nearly all of today's quakes are believed to be man-made — triggered by injecting briny wastewater from oil wells deep underground.

The quakes haven't killed anyone. Not yet, some here are quick to add. But they're increasingly more than an irritation.

"When you start losing merchandise and start having to fix stuff, that's when you start getting pissed off, you know what I'm saying?" Crescent businessman Mike Logan told VICE News.

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*Brian Johnston (L) and Jeff Holley (R) are co-owners of Hometown Foods which was hit heavily by an earthquake.*





*An oil rig on the outskirts of Crescent, OK.*

About half a dozen noticeable quakes hit the town of about 1,200 on July 27. They were all centered within about a mile of Cripple Creek Stoneyard, about 30 miles north of Oklahoma City, in an area where three wastewater injection wells were operating.

"If you're standing here, and vroom, a semi just drove right by you — I mean, right next to you - that's what it sounds like," said Logan, who co-owns the stoneyard with Marvin Schwartz, who has a house on the property. The quakes left cracks in the bedroom walls and in a storage room, knocked the dishes out of his cabinets and his pictures off the walls.

"It just shook this place big-time. It was violent. It was really, really violent," Schwartz said.

Earthquakes are graded on a curve that rises sharply upward as the magnitude gets bigger. A magnitude 4 is 10 times bigger than a 3, and a 5 is 10 times the size of a 4. The strongest quake Oklahoma has seen in the modern era was a 5.7 that hit east of Oklahoma City in 2011, knocking down brickwork and causing a handful of injuries; the US Geological Survey has linked that quake to injection wells nearby.

"I wouldn't want to feel a 5, I'll tell you that," Johnston said.

At the supermarket, employees noticed some light shaking from a 4.0 around 12:45 p.m. When the 4.5 hit about half an hour later, the store's security cameras captured Lois Gillette doing what she called her "earthquake dance"— jumping and staggering as the shock arrived.

"I know oil and gas is our economy here, and it is," she said. "We've been tied to oil and gas for 100 years. I know it's important, but I want the earthquakes to quit."

## EARTHQUAKES IN OKLAHOMA YEARS 1980 - 2015\*



\* TOTAL 2015 EARTHQUAKES AT TIME OF PUBLICATION (JANUARY 1 - AUGUST 18)  
SOURCE: OKLAHOMA GEOLOGICAL SURVEY

There seems to be an oil well in every other field in north-central Oklahoma. The industry is the bedrock of the state's economy, accounting for one out of every five jobs. And for each gallon of oil that gets pulled out of the ground, 10 gallons or more of saltwater gets drawn up as well.

That water gets separated out and trucked to places like West Perkins Commercial Disposal, northeast of Oklahoma City. The water pours out of the back of a tanker and into a nearby sump. It's then pumped to a set of 25,000-gallon tanks, where any remaining oil floats to the top and gets shunted off to a separate vessel. Then the brine gets shot underground to depths of more than 6,000 feet.

It's been standard practice for decades. But the amount of "produced water" injected underground has doubled in the past 15 years as new technology — horizontal drilling, hydraulic fracturing, more advanced

materials — let companies reach pockets of oil and gas they couldn't get to before. In 2013, operations like West Perkins Commercial Disposal pumped about 160 million barrels of wastewater underground each month.

Meanwhile, even though Oklahoma is far from the major earthquake zones of North America, it's crisscrossed with faults deep underground. And as water starts filling in the rock around them, the odds of them slipping go up.

"The problem has lain here for hundreds or thousands of years," said Jeff Andrews, the well's owner. "It's just that right now, we've got something that's irritating it a little bit."

Scientists learned fluid injection can trigger quakes nearly 50 years ago, said Todd Halihan, who teaches hydrogeology and geophysics at Oklahoma State University. But there's still some question about what sets off these oil-patch tremors, and that's a debate with big implications for the state's economy, Halihan told VICE News.

"You're done if there's some volume that's reached and you can't go past it. But if it's a rate issue, you could spread out and slow down," said Halihan, who sits on a state commission studying the problem.

After years of complaints and several scientific studies, the state officials started to take steps to curtail wastewater injections near quake sites in 2013. Those efforts picked up speed in April, when the Oklahoma Geological Survey formally concluded that the quakes were "very unlikely" to be natural.

There are about 3,200 wells like Andrews' operating at any given time in Oklahoma, said Matt Skinner, a spokesman for the Oklahoma Corporations Commission (OCC), which regulates the oil industry. By August, nearly 600 of them were under orders to reduce either their volume or their depth, Skinner told VICE News.

After the Crescent quakes, the agency announced new limits on injection wells in a broad swath north of Oklahoma City, forcing operations in that "area of interest" to reduce their volumes by nearly 40 percent; three wells near the epicenters of those quakes have been shut down—voluntarily, the commissions stresses.

"They have really stepped up in the last several months," Angela Spotts, an anti-fracking activist in Stillwater, told VICE News. "But what they started in March should have been started a year-plus ago."

The new restrictions have been met with some grumbling from the operators.



*Todd Halihan teaches hydrogeology and geophysics at Oklahoma State University.*





*Tanks at West Perkins Commercial Disposal store crude oil and saltwater, the byproduct of crude drilling, before being injected into the ground.*

Andrews has filled the bottom 600 feet of his well with cement, plugging it back from about 6,900 feet to just under 6,300. He's sending records of his injected volumes to the OCC every week. But he says his small operation is being unjustly lumped in with more likely suspects.

"A guy that's sitting over here, that's injecting 3,000 barrels a day at 200 pounds of pressure, he can't be as guilty as a guy who's injecting 100,000 barrels a day at 3,000 pounds of pressure," Andrews said. The solution, he says, is to force the wells to spread out, dispersing the fluid.

Jeremy Boak, the director of the Oklahoma Geological Survey, told VICE News that the restrictions aren't likely to reduce the number of quakes immediately.

"I think everybody expects it took four or five years of very high injection rates to get to this level," Boak said. "So they have generally thought that if there's a response that's actually having an effect, it could take a number of months to show results."

Meanwhile, as the OCC faces a growing problem, state lawmakers have cut the agency's regulatory budget by about 10 percent. The OCC received a \$200,000 grant to support research into the link between injection wells and earthquakes this year — but that's swamped by the \$1.3 million it lost in the appropriations process.

Halihan said he'd like to take advantage of the current slump in the oil patch to hire an unused rig and drill some test wells.

"And yep, that costs a couple million bucks, but there's rigs sitting around," he said. But instead, he said, "The response is, 'Well, if we cut their budget, it should get better.' "

Representatives of Oklahoma's two largest oil industry groups, the Oklahoma Oil and Gas Association and the Oklahoma Independent Petroleum Association, did not respond to requests for comment. But industry officials have said previously that there's a history of natural seismic activity, injection wells have been operating safely since the 1930s, and injection volumes were higher in the 1980s than today.

In imposing the latest restrictions, however, OCC Vice Chairwoman Dana Murphy said her agency considers the question settled.

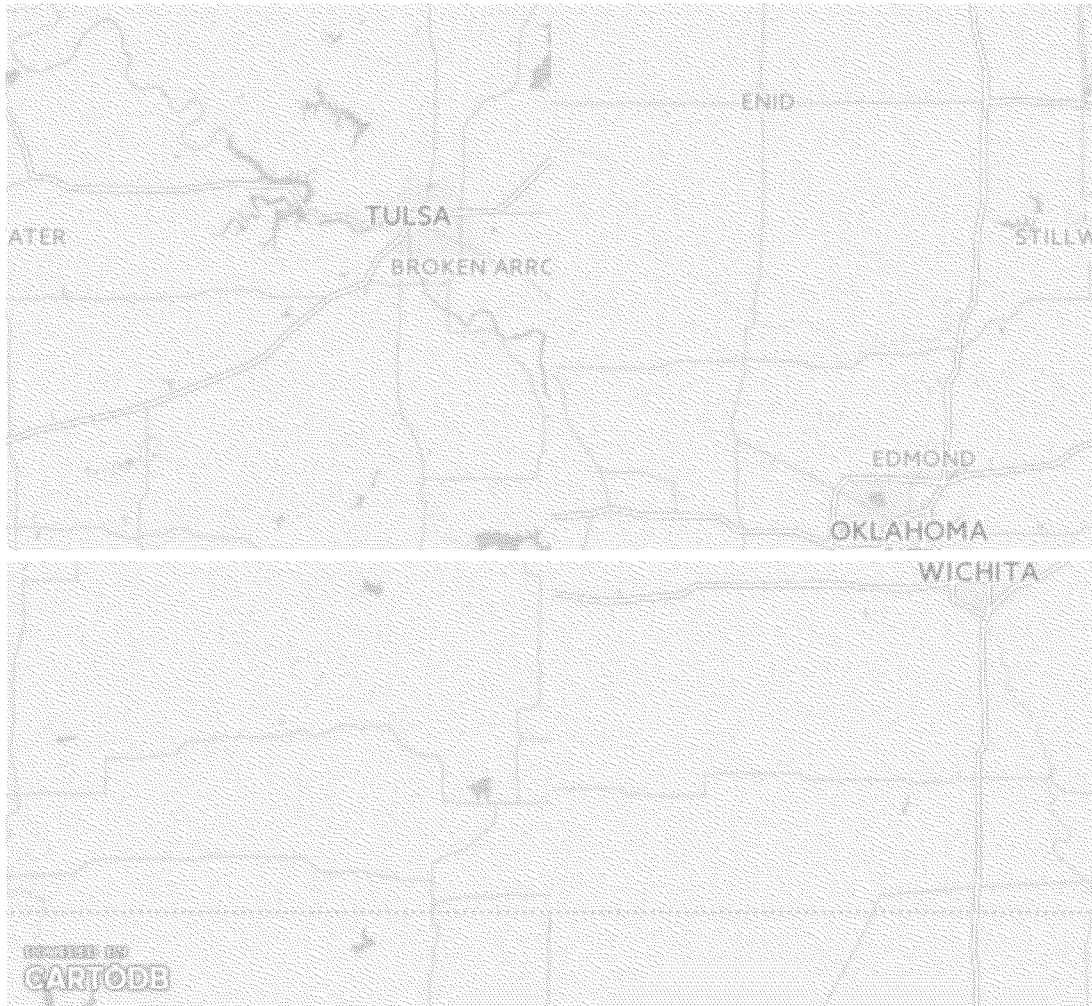
"There was a time when the scientific, legal, policy and other concerns related to this issue had to first be carefully researched and debated in order to provide a valid framework for such action," Murphy said. "That time is over."

Spotts said that time could have arrived earlier if it weren't for the outsized influence the oil industry holds over Oklahoma officials.

"Four out of five of us are not connected to the industry, and our homes and lives aren't any less valuable," she said.

Skinner said the state took "a reasoned, scientifically justified approach" to the problem, but plans to conduct a lessons-learned review later.

"Am I going to say that everything we did over the last three years was perfect? Obviously, I'm not going to say that," he told VICE News. But he added, "Right now, we find ourselves obviously dealing with a very, very serious problem, and that's what we're concentrating on."



Map created by  [krismortensen](#)



*The week this story was reported, the Oklahoma Geological Survey recorded more than a dozen earthquakes of at least magnitude 3. Point your mouse at a dot for details.*

Often, the quakes pass with only a vague rocking. Many go unnoticed in town, their energy swallowed up by the vast prairie.

"We get some of the earthquakes here, and the glasses shake. That's how we know," said Chloe Garrett, a waitress at a truck stop in Stillwater. They seem to be getting longer, but they still rank low on the list of what rattles Oklahomans, she said.

"A tornado's more scary for us," Garrett told VICE News. .

But little quakes can add up to big problems for homeowners like Lisa Griggs.

Griggs has a small farm in Guthrie, just up Interstate 35 from Oklahoma City. Quakes were pretty frequent there by November 2014, when she underwent surgery for intestinal cancer.

In the weeks after that, a friend who was helping take care of her noticed the guest-room toilet was leaking. She had a plumber check it out, thinking she'd replace both of her home's commodes with low-flow models.

"He went into the main bathroom and pulled that toilet out and said, 'You know what, these floors are so damaged, I can't replace it. I can't get it to seal. The floors are just too bad,' " Griggs told VICE News.

She'd already noticed small things — cracks in her exterior brickwork and kitchen tile, bouncy spots in her hardwood floor, cabinets pulling away from the walls. Around Christmas, she started noticing cracks in the concrete of her front porch.

She started keeping a log in January, recording more than 70 quakes in the first six months of 2015.

"It's a cumulative effect over a long period of time," Griggs said.

Her insurance company estimated the damage to her home at nearly \$75,000. It's now gutted and being rebuilt. Fortunately, her insurance not only covered earthquake damage, it's also paying for the Oklahoma City rental house where she's staying for now with her two dogs and a cat. It's even paying for someone to take care of her goats while she's away.

She's one of the lucky ones. In 2014, homeowners filed 120 claims for earthquake damage, Oklahoma Insurance Department spokeswoman Kelly Collins told VICE News. Only 17 of those were approved, for a total payout of \$20,039. Many people don't get quake insurance, since they tend to have high deductibles, and many companies don't cover man-made events.

"It's probably going to be too hard to prove that it's earthquake damage, and you have to have major stuff to collect," said Sharon Lancaster, a friend who was helping Griggs change her bandages. "I don't know how anybody gets it any more, because they're all the time."



*Lisa Griggs in the backyard of a rental home in Oklahoma City, OK after her home in Guthrie, OK was severely damaged in an earthquake.*



*A road sign warns drivers that there is a seismic crew near the road conducting tests at drill site.*

As the number of quakes has skyrocketed, so has the number of bigger quakes. There was only one quake in the 4 range in 2012; there were 15 in 2014, and 2015 has already passed that mark. Statistically, for every 10 quakes in the 4 range, there's a 5. And the current chance of a 6 — a strong quake that can inflict extensive damage or injuries in populated areas — in the next year are 1 in 100, Halihan said.

Those odds, coupled with a recent ruling by the Oklahoma Supreme Court, are starting to raise eyebrows on Wall Street.

"The earthquake trend has and will continue to have sharp economic consequences for home and business owners, mortgage lenders, insurance companies, and investors exposed to real estate in earthquake affected areas," the bond rating agency Standard and Poors noted shortly after the Crescent outbreak.

The last major US earthquake was the Northridge quake in California, near Los Angeles. It was a 6.7 that killed 60 people and cost \$44 billion in 1994, S&P reported.

"It can take a long time for subterranean pressures to build to a breaking point. So, too, for credit risks tied to earthquakes," the ratings agency stated. "In our view, however, the moment to prepare for such events has already arrived."

And Spotts told VICE News that report "is rattling everybody, because they're starting to realize it's going to impact the whole state."

Oklahoma already gets poor marks for the condition of its bridges, levees and roads. In 2013, the American Society of Civil Engineers gave the state's infrastructure a collective grade of C-minus.

"You can't take something that's inferior and keep beating the shit out of it," she said.

The size and orientation of Oklahoma's known faults could make it less likely for a major quake to happen, Boak said. But he said some faults haven't been found until after they go off.

"We have mapped as many faults as we can find," Boak said. "But many of the earthquakes look like they're happening in an area where that fault map is fairly sparse."

Meanwhile, at the end of June, there was a legal earthquake: Oklahoma's highest court ruled that people could sue oil companies over the earthquakes.

Sandra Ladra suffered leg injuries when the rock facing of her chimney collapsed in the 5.7 quake that hit the town of Prague in 2011. She's suing two companies that ran injection wells in the area, arguing they were negligently conducting "ultrahazardous activities." The oil companies argued that the proper place for her claims was the OCC, but the state Supreme Court found Ladra should get her day in court.

But there's a difference between knowing how the quakes are triggered and proving which well set it off — and it may not be hard for lawyers to take advantage of that gap.

"You could say that 'I'm injecting, but there's a lot of reasons it's not all me, or not me at all,' " Halihan said.

A Stanford University study published in June found that the quakes may occur miles away from an injection well and long after its use. Even if all of those wells were shut down immediately, the quakes could continue for months or years, it found.

"If I was paid by a couple of shifty lawyers to say one of those options, I could set up an argument using peer-reviewed literature on any of those and try to push that as the reasonable case," Halihan said. Without more in-depth data, "It's going to be a fuzzy case."

And back in Crescent, Johnston said the July 27 shakes cost him about \$500. But that figure could have been \$50,000 if a whole shelf had toppled — and he doesn't have quake insurance.

"Something like this could kill a town," he said. As he sees it, there are three things a small town needs to survive: A grocery store, a bank and a post office. "Once you lose any one of those three, you're in trouble."

Follow Matt Smith on Twitter: [@mattsmithatl](https://twitter.com/mattsmithatl) (<https://twitter.com/mattsmithatl>)

All photos by Sebastian Meyer for VICE News.

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[\(/article/medicine-in-india-qualified-quacks-and-a-baffling-drug-landscape\)](/article/medicine-in-india-qualified-quacks-and-a-baffling-drug-landscape)

Medicine in India: 'Qualified Quacks' and a Baffling Drug Landscape [\(/article/medicine-in-india-qualified-quacks-and-a-baffling-drug-](/article/medicine-in-india-qualified-quacks-and-a-baffling-drug-)

[\(/video/on-the-line-jason-leopold-on-the-google-search-that-made-the-cia-spy-on-the-us-senate\)](/video/on-the-line-jason-leopold-on-the-google-search-that-made-the-cia-spy-on-the-us-senate)

landscape)

On The Line: Jason Leopold On “The Google Search That Made The CIA Spy On The US Senate” (/video/on-the-line-jason-leopold-on-the-google-search-that-made-the-cia-spy-on-the-us-senate)

(/video/vice-news-capsule-monday-august-24)

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see thisa heyah is a snowball  
an climate changa  
hassah nothin' to do with thisa  
1  |  • Reply • Share ›



Swoos McGoose > george plutarch • a day ago

Wait, are Oklahomans plantation owners, Colonel Sanders, or Foghorn Leghorn?

The accent is highly confusing and hard to read

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Weston Cain > Swoos McGoose • 21 hours ago

He's just being a d0uche, dude generalizes Oklahoman's like people living outside of the United States generalize all Americans as fat and stupid.

 |  • Reply • Share ›



george plutarch > Swoos McGoose • 21 hours ago

Dont quite know poddner  
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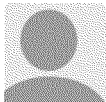
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Swoos McGoose > george plutarch • 21 hours ago

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Glen Etzkorn • 3 hours ago

frackers conspire to commit murder in so many ways it is pure sicko.

Time for frackers filth dung of the devil to reside in prison and have all assets removed to pay for their heinous crimes.

fracker quakes, poisoned aquifers, cancer causing VOC's, methane emissions, endocrine disruptors, radioactive particles dispersed here there and thither.with excedssive deadly Silica sand exposure.

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INTHENEWS

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# Shiprock Votes To Keep Irrigation Shut Off

By [MARISA DEMARCO \(/PEOPLE/MARISA-DEMARCO\)](/PEOPLE/MARISA-DEMARCO) · 15 HOURS AGO

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*The San Juan River flows under a bridge in Shiprock.*

MARISA DEMARCO / KUNM



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1:06

The Navajo Nation Environmental Protection Agency said initial testing results showed that water in the San Juan River is safe for agricultural use. But farmers in Shiprock have voted unanimously to keep the irrigation shut off through the end of this growing season.

Shiprock Chapter President Duane "Chili" Yazzie said it was a difficult decision for farmers who rely on their fields for income and food.

"We would prefer to sacrifice here at this point to make sure that we will turn on uncontaminated water back into our systems next spring," he said. "We're just still not sure about the types of contaminants and the levels of contaminants that are in the river. We would rather be safe than sorry."

Yazzie said people would rather save what plants they can than get compensation for a loss of crops.

A tanker owned by the Bureau of Indian Affairs has salvaged some fields in Shiprock, with farmers hauling the water manually.

Navajo Nation President Russell Begaye has so far maintained restrictions on the river. But compromises may need to be reached down the line. Two other communities also use the San Juan River irrigation system, and Shiprock sits right between them.

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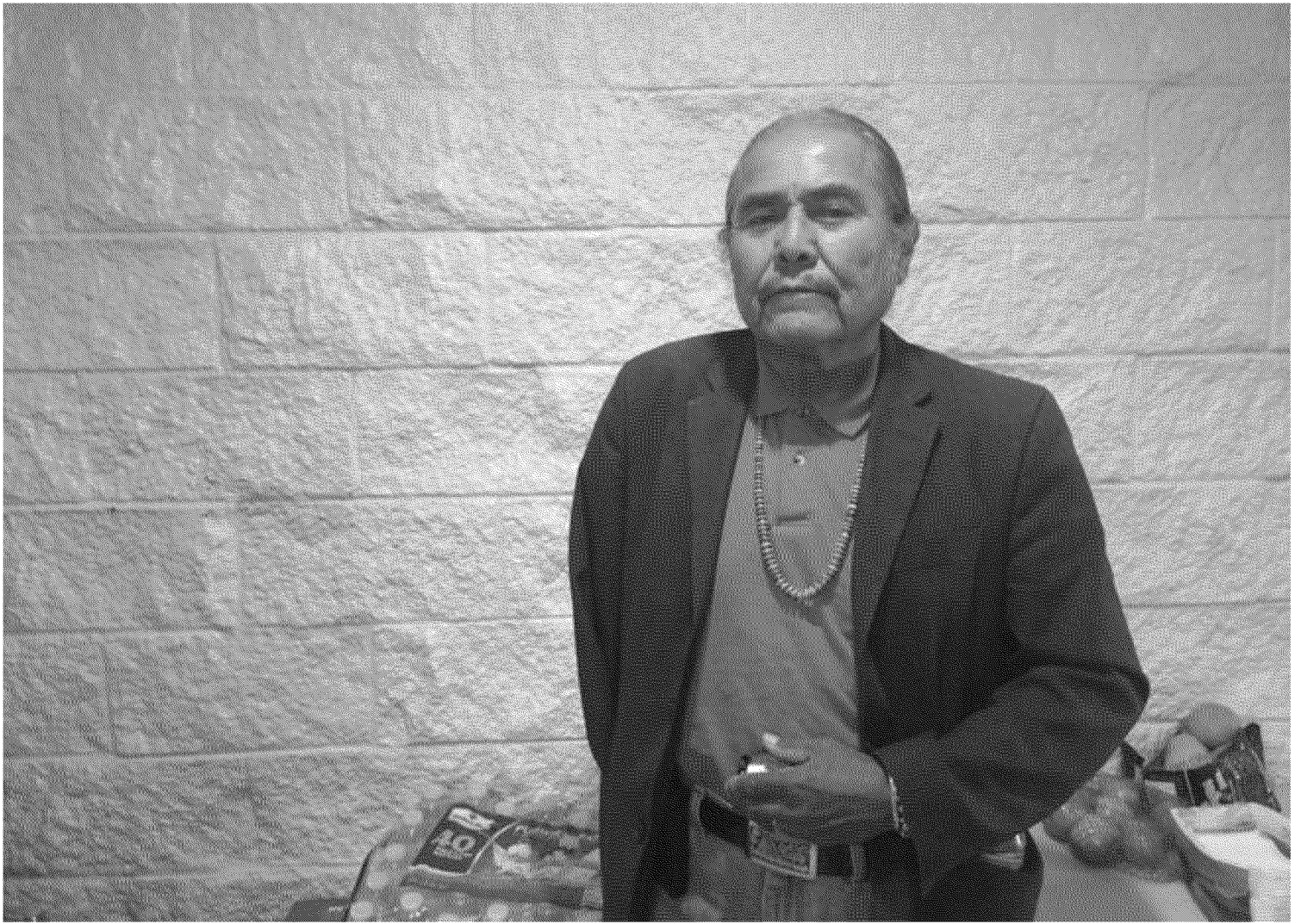
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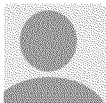
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# Oil companies in Oklahoma spending millions of dollars to reduce risk of earthquake activity

by Adam Wilmoth *Published: August 23, 2015*

As part of the effort to understand and reduce the growing earthquake activity throughout much of the state, disposal well operators since March have spent more than \$35 million to adjust their wells' depths with the aim of reducing the risk of contributing to earthquake activity.



This 2012 photo shows workers at a disposal well near Crescent. [By Paul Hellstem, The Oklahoman]

The actions came after the Oklahoma Corporation Commission three times this year issued new directives, telling operators in certain "areas of interest" to either adjust their disposal well depths or reduce volumes.

"The industry has done a really good job of cooperating and coordinating with the Corporation Commission," Commissioner Dana Murphy said this month at the Tri-State Oil and Gas Convention in Woodward. "You're talking about \$150,000 to \$250,000 or more for these companies not just to shut down their wells, but to plug them back."

While the companies may not be eager to spend millions on unexpected work, they understand the changes are necessary, said Kim Hatfield, chairman of the regulatory committee at the Oklahoma Independent Petroleum Association.

"When your dentist tells you you need a root canal, you may not be happy about it, but you know it's something you need to do," Hatfield said. "If we're cooperating, things get accomplished much more quickly than they might otherwise. We're looking to accomplish the regulatory goals with as little friction and unnecessary cost as possible."

## Seismic connection

Researchers and regulators have pointed to saltwater disposal wells as likely or at least contributing to the state's increased seismic activity over the past few years. Regulatory efforts have focused on water disposal wells that have been drilled too deep or transport too much water.

For each gallon of oil the average well in Oklahoma produces, it produces about 10 gallons of ancient water up to five times saltier than the ocean. In some rock formations in

northern Oklahoma, as much as 20 barrels of water is produced along with each barrel of oil.

Most disposal wells in the state have been drilled into the Arbuckle formation, the deepest layer of sedimentary rock. Many researchers now believe that wells that deliver the wastewater through the Arbuckle and onto the so-called crystalline basement rock can contribute to seismic activity.

Since March, the Oklahoma Corporation Commission has designated part or all of 21 counties as "areas of interest," where operators have been told to reduce the depth of disposal wells or reduce their disposal volumes.

Companies since March have plugged back 147 wells, and another 30 plug-backs are in progress. At an average cost of about \$200,000 a well, the effort so far has cost companies about \$35 million. Companies have proven another 140 wells were drilled to the proper depth, and volumes have been scaled back at 73 wells.

"As long as they're making good regulatory decisions based on sound science, you're not going to hear a lot of arguments out of us," said Chad Warmington, president of the Oklahoma Oil and Gas Association. "Our concern is that we just want to be guarded that we don't react too quickly to things we're learning and change course midstream. When a directive is given, we're all on the same page."

"There are real, significant costs in complying," Warmington said. "You've seen no pushback from the industry, but we all need to make sure we're on the same page."

## Costly timing

Oklahoma City-based SandRidge Energy Inc. is the largest disposal well operator in central and northern Oklahoma, where much of the earthquake activity has been located. The company operates 106 disposal wells in the area, including 38 it has plugged back to proper depth.

"We've been very proactive in both cooperation and in trying to be on the leading edge of assessing the health of our system," said Duane Grubert, SandRidge's executive vice president of investor relations and strategy. "We know through that data collection that we have a healthy system. We're following and trying to develop best practices."

When the corporation commission in July expanded its area of interest to include more wells, SandRidge already had completed work on 13 of the 15 additional wells that needed to be plugged back.

Grubert said the company considers the cost of upgrading the wells as an operating expense.

"When you think that the overall system involves 1,500 wells, the incremental cost of remediating the plug-backs has been pretty small," he said. "That's not to say it's immaterial, but relative to the scale of the overall projects, it's not that many wells. It doesn't enter into our thinking about allocation of capital to the project."

Still, the efforts come at a time when oil companies already are slashing expenses because tumbling oil prices have erased revenue and cash flow. Even with reduced drilling efforts, SandRidge budgeted \$700 million for capital expenditures.

"SandRidge is proactively engaged in helping understand seismicity and is working with regulators in a very constructive manner," Grubert said.

The areas of interest include 135 operators of 576 disposal wells.

Oklahoma City-based Chaparral Energy has 10 water disposal wells in the area. The company has showed that nine were drilled to the correct depth and plugged back the other well in the area, spokeswoman Brandi Wessel said.

"We are being as proactive as we can to make sure we're operating up to code in the best possible practices and manners," she said.

The Corporation Commission has been careful to describe the new guidance as "directives" from staff, not formal rules from the three elected commissioners. Such rules require a monthslong formal process.

So far, regulators and industry groups alike have praised the spirit of cooperation and coordination. The industry has shared maps and fault data and helped suggest ways to meet regulator's request with minimal expense.

"Our primary concern is that we have well-thought-out regulations up front so we don't end up spending money that's not necessary," Warmington said.

Despite the costs, companies and industry groups so far have been quick to follow new directives. There also is significant incentive for the industry to cooperate with state regulators, Murphy said.

"We know at the commission that the EPA is looking and is aware of petitions that have been filed by those who would like to see primacy for underground protection and control moved from the Corporation Commission to the Environmental Protection Agency," Murphy said.

"The companies may have some issues with some of the things we do, but the EPA is not going to be looking for a solution. Their solution is going to be a shutdown of disposal operations," she said. "We're going to be challenged to make sure we're taking the right step to protect Oklahomans and deal fairly with the industry and making sure we don't have a one-size-fits-all federal program."

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## THE LEADER IN ENERGY & ENVIRONMENTAL POLICY NEWS

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### CLEAN POWER PLAN:

#### In last regulatory step, stakeholders petition for rule changes

Emily Holden and Rod Kuckro, E&E reporters

Published: Monday, August 24, 2015

While the Clean Power Plan is final, states and energy companies have one last shot to urge U.S. EPA to make big or small changes to the rule.

The regulatory process allows them to submit a "petition to reconsider." Many CPP stakeholders will be working on those submissions for the next several weeks or months, as they are expected to send them within 60 days after the rule is published in the *Federal Register*. (EPA hasn't said when that will happen, other than "as soon as practicable.")

For critics of the rule, this is the first step in launching a legal challenge against EPA. If EPA denies the petition to reconsider, the petitioner can ask a court to review the complaint.

But for some, the petition process is an opportunity to ask EPA to correct minor errors and make some points more specific. In any case, opponents and supporters of the Clean Power Plan are working on these filings.

That shouldn't keep states from moving forward in discussing action plans though. As Debra Kahn [reports for ClimateWire](#), California Air Resources Board Chairwoman Mary Nichols said California has been leading talks among Western states about multi-state carbon trading.

Go to E&E's Power Plan Hub to [read more](#) of this weekly column and to see the latest news, state summaries and developments.

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# Week in review: Osage oil producers file second lawsuit against BIA

By Staff Reports | Posted: Sunday, August 23, 2015 12:00 am

## Osage oil producers file second suit against BIA

After a court victory last week in a separate case, Osage County oil producers filed a second lawsuit Tuesday against the U.S. Bureau of Indian Affairs, this time blaming federal bureaucrats for a steep decline in drilling activity.

Only 39 wells have been drilled in Osage County since last summer, when the BIA announced that it would require expensive environmental assessments on individual well sites before issuing permits. That's compared to 135 wells that were drilled in 2014 under the old rules.

Meanwhile, more than 400 drilling applications are pending with the BIA, some of them submitted more than a year ago with no response from the agency, according to the lawsuit filed in Tulsa federal court. The backlog is affecting not only new wells but existing wells that need "work overs" to improve or restore production.

The average well in Osage County produces less than a barrel a day, making profit margins too thin to justify doing environmental assessments on each well site, producers say. The old rules allowed them to use a more generalized countywide assessment.

"The regulatory shutdown of the permitting process for drilling and work overs has had a massive and entirely negative impact on every oil and gas producer in Osage County," said Shane Matson, president of Spyglass Energy. "The impact to the Osage shareholders is just beginning to be felt."

If not for extraordinary production from a handful of wells, overall production in Osage County would be down 15 to 20 percent this year, Matson said.

— MICHAEL OVERALL, World Staff Writer

## WPX Energy closes acquisition of RKI



### New Geophysical Building

Guests gather outside the recently completed Geophysical Resource Center 2 building during a dedication and ribbon-cutting ceremony Thursday. JAMES GIBBARD/Tulsa World

WPX Energy's purchase of privately held Oklahoma City company RKI Exploration & Production LLC has officially closed, WPX announced Monday.

The completed acquisition gives WPX a substantial presence in the core of the Permian's Delaware Basin, located in west Texas and eastern New Mexico.

Tulsa-based WPX announced in July that it would acquire RKI for \$2.35 billion plus assumption of \$400 million in debt.

The deal with RKI is one of more than \$4 billion in transactions that WPX has made during 2014 and 2015 as part of efforts to transform and enhance its portfolio.

The close of the acquisition is a defining moment for WPX, said the company's president and CEO, Rick Muncrief.

"This transaction drives our high-margin oil growth, accelerates our portfolio transition to more liquids and solidifies our premier position in the western United States," Muncrief said.

"These areas enjoy significant advantages of established infrastructure, which provides the opportunity for stronger realized commodity prices."

With the completed deal, WPX Energy's assets in the Permian's Delaware Basin now include 92,000 net acres, approximately 98 percent of which is held by production.

The 92,000 net acres represent more than 670,000 prospective net effective acres of stacked play, according to WPX.

— CASEY SMITH, World Business Writer

## Port tonnage down for July after heavy rains slowed traffic

Port Director Bob Portiss candidly addressed the waterway's total tonnage during the Port Authority's board of directors meeting Thursday morning.

"July shipping — bad," Portiss said. "68,514 tons."

The tonnage figure represents total inbound and outbound cargo that passed through the Tulsa Port of Catoosa during the month of July. The benchmark is down 63 percent compared to the 186,277 tons that passed through the port in July 2014.

The low figure was a result of the volume and duration of flows all along the McClellan-Kerr waterway because of shoaling — soil and sand deposited by the rapidly flowing water, the result of months of heavy rains during the late spring and early summer.

Nevertheless, tonnage figures for July increased compared to May and June when the inbound and outbound tons totaled 46,806 and 58,200, respectively.

Despite the temporary problems for commerce that the McClellan-Kerr waterway has experienced this year due to record-setting rainfall, the positive aspect has been the waterway's contribution to flood prevention, port staff said.

Ed Johnson, public affairs chief for the U.S. Army Corps of Engineers' Tulsa District, said in a news release that while estimates are still being tabulated, preliminary figures show that nearly \$1 billion in property damage has been prevented because of the waterway and related reservoir infrastructure that the corps maintains.

— CASEY SMITH, World Business Writer

## Aldi to open store at Eton Square later this year

National discount grocer Aldi plans to open a store at the corner of 61st Street and Memorial Drive by the end of the year, a company official said Thursday.

Aldi, which currently has five stores in the Tulsa area, will move into the space in Eton Square Shopping Center formerly occupied by Aspen Athletic Club. The company will spend \$1.5 million to prepare the space, at 8221 E. 61st St. Suite S, to become a grocery store, according to a permit filed with the city of Tulsa.

The store will feature high ceilings, natural lighting and environmentally friendly building materials, including recycled materials and energy-saving refrigeration and light bulbs, said Mark Bersted, Aldi's Olathe Division vice president.

“(We will) ensure that customers enjoy a shopping experience that is simple and easy to navigate,” Bersted said.

The store will be the third in Tulsa and the sixth in the Tulsa area after the company opened its store at The Walk at Tulsa Hills, 8205 S. Olympia Ave., in June. Locations include 12572 E. 21st St. in Tulsa, as well as stores in Bixby, Broken Arrow and Owasso.

The company is in the middle of a five-year expansion plan with hopes of opening 650 stores across the country with a goal of having nearly 2,000 stores by the end of 2018, Bersted said.

The store will employ about 10 people, Bersted said.

— ADAM DAIGLE, World Assistant Editor



## CLIMATE BEAT

# Cities: White House clean energy push includes outreach to mayors on emissions

Posted: August 24, 2015

The White House's new push to "accelerate America's transition to cleaner sources of energy," announced today in advance of [a speech the president will deliver at a clean energy summit in Las Vegas](#) tonight, includes an effort to urge more mayors to commit to reduced greenhouse gas emissions in their cities.

"The Compact of Mayors, a global coalition of mayors and city officials that have pledged to reduce greenhouse gas emissions and enhance resilience to climate change, is committing to further the uptake of clean energy technologies, including in low-income communities, and to track overall progress," [the White House said in a fact sheet](#). "U.S. Cities are taking significant steps to reduce emissions, but the only way to measure progress is through a transparent and consistent system that provides accountability. 19 U.S. Cities have already signed onto the Compact, and 15 more are announcing their commitment today."

The new members: Atlanta, Austin, Bridgeport, Camuy (PR), Chicago, Chula Vista, Grand Rapids, King County, New York, Oakland, San Francisco, Santa Monica, Seattle, West Hollywood and West Palm Beach.

Moreover:

*The President is challenging all Mayors to publicly commit to a climate action plan ahead of the Paris U.N. meeting, and has set a goal of having at least 100 U.S. cities that have signed onto the Compact by the end of November.*

The *Las Vegas Sun* [says Obama's appearance in Nevada today "marks a high point for the summit](#) -- which has grown from a small meeting of the minds to a national, must-see event for anyone in the renewable industry. It is also a spotlight moment for Nevada and Harry Reid, Obama's Senate confidant and founder of the summit eight years ago."

*With the help of Reid, Nevada's clean energy workforce and policies resemble the vision that Obama touted on campaign trails and during speeches in the past decade.*

*Today, Nevada leads the country with an energy portfolio that's eliminating emissions by phasing out coal and adding more renewables. Its rooftop solar industry — despite an ongoing battle with NV Energy — is one of the fastest growing in the country. The state will soon produce Tesla batteries and may be in the running for a new electric car maker. The state has the most solar projects on public land and leads the nation in geothermal production.*

*When the president earlier this month announced the final stages of his plan clean power plan — a policy that will limit emissions by 32 percent — Nevada was [already in position](#) to close its coal-fired power plants and ahead of the curve of an emission reduction goal.*

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# EPA records raise more questions about Colorado mine spill, what was known before it occurred

Published August 24, 2015 | Associated Press

Documents released by U.S. officials have revealed that the Environmental Protection Agency knew of the potential for a blowout of toxic wastewater from a Colorado mine more than a year before a government cleanup team accidentally triggered such a release earlier this month.

About 3 million gallons of water from the mine flowed into Colorado's Animas River and the San Juan River in New Mexico before reaching Lake Powell on the Utah-Arizona border. Public drinking water systems were temporarily shut down and farmers from the Navajo Nation stopped using river water for irrigation.

Here are some questions and answers about the newly released documents.

## WHAT DID AGENCY OFFICIALS KNOW?

A June 2014 work order from the EPA for the cleanup of the inactive Gold King Mine near Silverton, Colorado, said a partial collapse of the mine's entrance had allowed water to build up inside the mine. The order said those conditions could result in a blow-out and "cause a release of large volumes of contaminated mine waters and sediment inside the mine, which contain concentrated heavy metals."

## WHAT PRECAUTIONS WERE TAKEN TO PREVENT A SPILL?

The EPA's work order called for the construction of a holding pond at the mine site to capture water so contaminants could be removed by settling out in the pond or by treatment. The pond was not completed when the accident occurred. The issue is part of investigations into the spill.

## WAS A PLAN IN PLACE FOR DEALING WITH A SPILL?

The EPA documents contained only a few lines describing what to do in the event of a spill, including stopping the flow, recovering spilled materials, and alerting downstream drinking water systems.

## COULD IT HAPPEN AGAIN?

The Gold King Mine has not undergone maintenance since 1991, and the impound area from which the toxic wastewater was released is not the only one at the mine. The EPA has no estimate of how much water is remaining, but agency spokesman David Gray said there is a potential for another blowout. Additional work is planned to remove other blockages holding water in the mine. There's no timeline for completion.

## ARE OTHER MINES PRODUCING POLLUTION IN THAT AREA?

The Upper Animas River area contains an estimated 400 abandoned and inactive mines, and state and federal officials have been working since the 1990s to address pollution flowing into area streams. However, the EPA said water quality has not improved in the Animas since 2005 and has been worsening in some areas. Officials have noted precipitous declines in fish populations as far as 20 miles downstream.

## WHAT'S NEXT?

Members of Congress have blasted the EPA's slow response to the spill, including the fact that some downstream communities were not notified until a day after it happened. They've also questioned how it happened given that the agency knew of the potential for a release. Hearings before several congressional committees are planned, including a Sept. 9 hearing before the House Science, Space and Technology Committee, chaired by Texas Republican Rep. Lamar Smith, who cited EPA negligence or incompetence for the problem.

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# ADEQ says Colorado River water shouldn't be hurt by spill

By John Gutekunst Parker Pioneer | Posted: Monday, August 24, 2015 2:41 pm

Based on analysis of water samples taken 100 miles from Lake Powell, the Arizona Department of Environmental Quality has stated a spill of toxic materials from an abandoned gold mine in Colorado should have no impact on water quality in the Colorado River.

The spill occurred Aug. 5 at the abandoned Gold King Mine near Silverton, Colo. Contractors working for the U.S. Environmental Protection Agency were attempting to insert a pipe into the mine to drain off the toxic materials. They underestimated how much pressure had built up underground. As a result, over 3 million gallons of waste material was released into Cement Creek, a tributary of the Animas River. The Animas flows into the San Juan River, which is a tributary of the Colorado River.

The governors of Colorado, Utah and New Mexico and the Navajo Nation declared states of emergency.

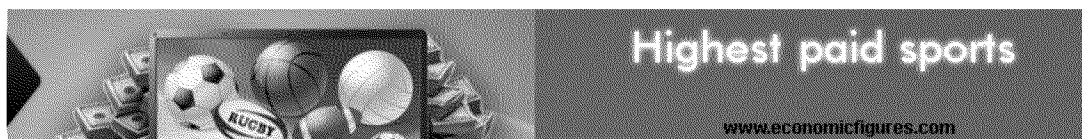
In a press release dated Aug. 17, ADEQ Director Misael Cabrera said the Utah Department of Environmental Quality had sampled water in the San Juan River approximately 100 miles upstream from Lake Powell. They found the water quality to be consistent with pre-spill conditions.

"The ADEQ does not expect this spill to have short- or long-term negative impacts to Lake Powell and the downstream Colorado River," Cabrera said in the press release.

Public health officials in Mohave and La Paz Counties earlier stated the spill will have dissipated and have been diluted to the point where the effects would be negligible by the time the spill reached here.

The ADEQ's press release went on to state the agency will continue to work with environmental officials in Utah, Colorado and New Mexico and the EPA to monitor water quality from the spill. They noted water use restrictions on the Animas River were lifted Aug. 14 because the river had returned to pre-spill conditions.

The Congressman who represents La Paz County, Rep. Paul Gosar, R-Ariz., has called for EPA Administrator Gina McCarthy to be held accountable for the spill. He and other members of Congress have signed a letter criticizing the EPA's response to the spill, especially regarding their notification of communities impacted by the spill. Gosar also criticized the Obama Administration for not speaking out against the spill as they would've spoken out if it had been done by a private entity.



Tuesday, August 25, 2015

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## Oct. 9 stakeholder meeting set on EPA's Clean Power Plan



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Arkansas Department of Environmental Quality Director Becky Keogh and state Public Service Commission Chairman Ted Thomas discuss the Environmental Protection Agency's Clean Power Plan during a news conference in North Little Rock on Monday, Aug. 24, 2015. (John Lyon photo)

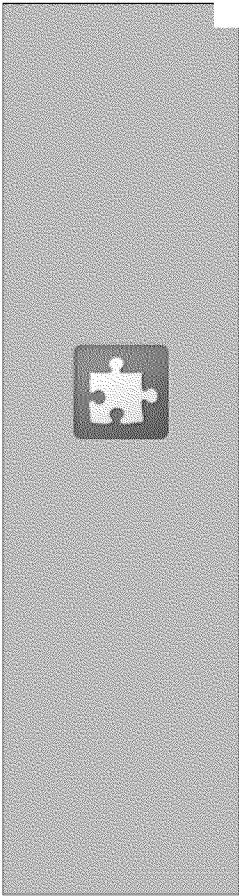
By John Lyon  
 Arkansas News Bureau  
[jlyon@arkansasnews.com](mailto:jlyon@arkansasnews.com)

**NORTH LITTLE ROCK** — The Arkansas Department of Environmental Quality and the state Public Service Commission said Monday they have scheduled an Oct. 9 stakeholder meeting to begin a new round of discussions on how Arkansas will comply with a new federal rule aimed at reducing carbon emissions.

"We face some tough decisions," Public Service Commission Chairman Ted Thomas said in a news conference at ADEQ's headquarters in North Little Rock. "We're going to want to hear from people before we make those decisions. The citizens have a right to be heard on these matters, and they will be heard."

The Environmental Protection Agency unveiled its final version of the Clean Power Plan on Aug. 3. Under the final rule by 2030, Arkansas' power sector will be required to reduce carbon dioxide emissions from the 2012 rate of 1,779 pounds per megawatt hour of electricity to 1,130 pounds per megawatt hour, a 36.5 percent reduction.

The rule requires states to develop their own plans for compliance. States that fail to submit an acceptable plan will have one developed for them by the EPA.



The final version of the EPA rule is less strict than a draft version that would have required Arkansas to reduce emissions by 44 percent. ADEQ Director Becky Keogh said Monday the federal agency responded to comments from Arkansas officials in loosening the reduction target and said those comments were shaped by the stakeholder process, which will resume next month now that the rule is finalized.

"We are here today to reinforce our commitment to work with each other and other state agencies, as well as our commitment to work with ratepayers and stakeholders as we develop a road map and ultimately a state strategy for Arkansas. Throughout our process, we will ensure our path forward does not create unnecessary or artificial constraints that are inconsistent with the Clean Air Act," Keogh said.

The final version of the rule also has a later date for the beginning of the compliance period. It requires all states to meet their first interim targets by 2022 rather than the draft plan's proposed initial compliance date of 2020.

Keogh said that although the final rule "provides a bit a bit more breathing room for Arkansas," the timelines "are still very tight."

In June, a federal appeals court dismissed a lawsuit by several states, including Arkansas, that challenged the draft rule. The court said the suit was premature because the rule had not been finalized.

Gov. Asa Hutchinson and Attorney General Leslie Rutledge have said Arkansas will continue to pursue litigation opposing the rule, which they say will hurt ratepayers. Rutledge has joined with attorneys general from several states in asking the EPA for a stay of the rule pending the outcome of planned legal challenges.

Thomas said that regardless of the expected court challenges, the state has to prepare to comply with the rule as it stands.

"We can't sit there and not do anything," he said.

Keogh said, "We do recognize the state's legal challenges to the Clean Power Plan are continuing. We will not delegate our authority or jurisdiction to the federal government. Rather, we are exploring strategies for Arkansas to retain control and influence over our future."

That process will involve input from "industry representatives, utilities, members of the public and our state agencies," she said.

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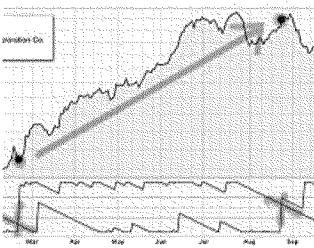
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
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
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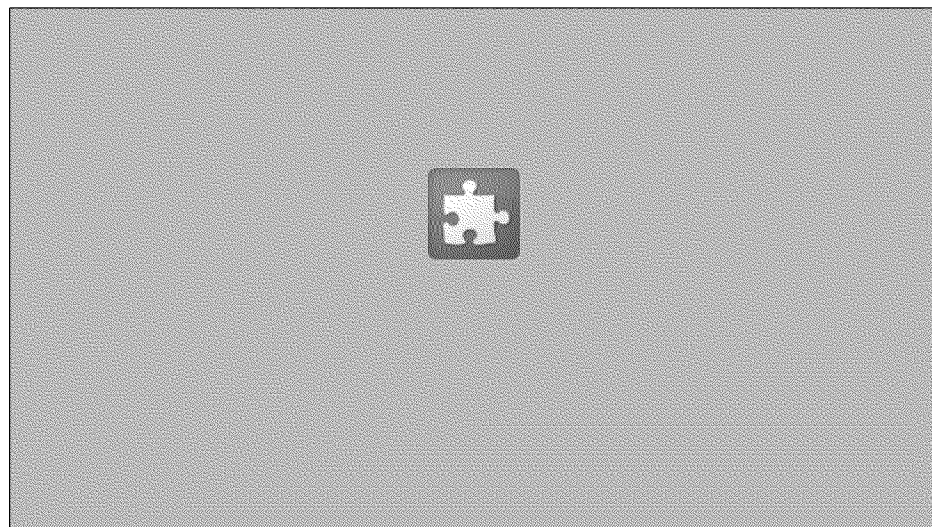


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# Obama aims to boost homeowner renewable energy use

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President Barack Obama on Monday expanded his push for greater renewable energy adoption, announcing fresh financial incentives for solar power development and use.

The steps include an additional \$1 billion in loan guarantees for new research projects and near-term savings for homeowners using renewable energy.

Speaking at the National Clean Energy Summit in Las Vegas, Obama argued fossil fuel proponents who say renewable energy is too expensive are being proven wrong as power sources like solar and wind become cheaper.

"For decades we've been told that it doesn't make sense to switch to renewable energy. Today that's no longer true," Obama said, laying out the cost savings realized by companies and states using more renewable energy.

The moves are part of Obama's broader plan for ameliorating the effects of climate change, which he will illustrate throughout the next week in trips to New Orleans and Alaska.

They come after Obama's announcement earlier this month to limit carbon emissions from U.S. power plants by 32 percent from 2005 levels by 2030.

That plan mandated a shift to renewable energy from coal-fired electricity to fight climate change, which Obama has called the greatest threat facing the world. Critics have said moving away from carbon-producing energies will drive up costs.

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Under the new rules, homeowners who adopt renewable energy will be able to do so with no cost upfront and pay back the cost of installation over time through property taxes.

Monday's announcement also called on Department of Energy to make an additional \$1 billion out of an existing \$10 billion available in loan guarantees for renewable energy projects

The Department of Interior on Monday approved the Blythe Mesa Solar project in California and its transmission line, expected to bring enough solar energy to power 145,000 homes.

Obama criticized fossil fuel companies lobbying against renewable energy, arguing they claimed to be for the free market "until it's solar that people are buying and suddenly you're not for it anymore."

Congressional Republicans are likely to balk at the White House's latest effort to promote renewable energy, although the regulations do not require lawmakers' approval.

Earlier this month Senate Majority Leader Mitch McConnell, who represents the coal-producing state of Kentucky, blasted the administration's plan to cut carbon emissions, saying it would shutter power plants and drive up electricity costs.

(Reporting by Julia Edwards; Editing by Dan Grebler and Lisa Shumaker)



Solar panels are pictured on the rooftops of residential homes in San Diego, California August 21, 2015.  
REUTERS/MIKE BLAKE

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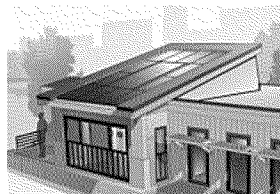
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